

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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MICHAEL CLEMENT MANOSH,

Plaintiff,

6:14-CV-01515

v.

(TJM/TWD)

OBELSTEIN REAL ESTATE RENTAL OFFICE,

Defendant.

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APPEARANCES:

MICHAEL CLEMENT MANOSH

Plaintiff, *pro se*

1430 Sunset Avenue

Utica, New York 13502

**THERÈSE WILEY DANCKS**, United States Magistrate Judge

**REPORT-RECOMMENDATION**

On January 29, 2015, the undersigned issued an Order noting deficiencies in Plaintiff's motion to proceed *in forma pauperis*. (Dkt. No. 4.) Specifically, I noted that Plaintiff had not provided much of the necessary information included on the Court's standard *in forma pauperis* application form, such as specific income received in the last twelve months, the value of any property owned, or the amount of monthly expenses. *Id.* Plaintiff was granted thirty days from the date of that Order in which to submit a signed and fully completed *in forma pauperis* application. *Id.* Plaintiff was cautioned that if he failed to file such an application within thirty days, he would be required to pay the \$400.00 filing fee in order to proceed with this case. *Id.* Plaintiff was further cautioned that if he did not provide a new application or the filing fee, his case would be dismissed. *Id.* When the required documentation was not timely received, in

deference to Plaintiff's *pro se* status, he was *sua sponte* given an extension to file a properly completed *in forma pauperis* application until March 19, 2015, and again cautioned that if he failed to file such an application or pay the \$400.00 filing fee by that date, I would make a recommendation that the complaint be dismissed for failure to prosecute. (Dkt. No. 5.)

More than thirty days have passed since the original Order (Dkt. No. 4), and the extension date as granted by the Court has passed. (Dkt. No. 5.) Plaintiff has neither filed a new *in forma pauperis* application nor paid the filing fee to maintain this action. Therefore, it is recommended that the Court dismiss this action.

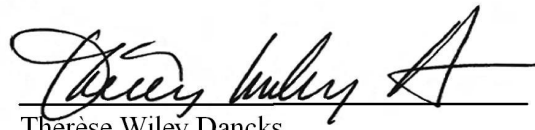
**WHEREFORE**, based upon the findings above, it is

**RECOMMENDED** that the Court dismiss this action without prejudice; and it is further

**ORDERED** that the Clerk serve a copy of this Report-Recommendation on Plaintiff.

Pursuant to 28 U.S.C. § 636(b)(1), the parties have fourteen days within which to file written objections to the foregoing report. Such objections shall be filed with the Clerk of the Court. **FAILURE TO OBJECT TO THIS REPORT WITHIN FOURTEEN DAYS WILL PRECLUDE APPELLATE REVIEW.** *Roldan v. Racette*, 984 F.2d 85 (2d Cir. 1993) (citing *Small v. Sec'y of Health and Human Servs.*, 892 F.2d 15 (2d Cir. 1989) (per curiam)); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72, 6(a).

Dated: March 27, 2015  
Syracuse, New York

  
Therese Wiley Dancks  
United States Magistrate Judge